

OCT 25 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

US DISTRICT COURT
WESTERN DISTRICT OF NC

DOCKET NO.: 3:21-cr-00162

UNITED STATES OF AMERICA)	
)	
v.)	CONSENT ORDER AND
)	JUDGMENT OF FORFEITURE
ALLEN SHUNTE PLOWDEN)	

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 924, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

1. One Glock, model 42, .380 auto and ammunition;
2. One Springfield, model XD-9, 9x19 and ammunition;
3. One Smith & Wesson, model SW40VE, .40 S&W and ammunition;
4. One CZ, model P-07, 9x19 and ammunition;
5. One Taurus revolver, .38 special and ammunition;
6. One Sturm Ruger & Co, Inc., model Security-S/X, .357 magnum and ammunition;
7. One Kimber, Micro Rose Gold and ammunition;
8. One FN, model FNS-9C, 9mm and ammunition;
9. One Smith & Wesson, model 36, 38 S&W SPL and ammunition;
10. One Taurus, model PT140 PRO, 40 and ammunition;
11. One Ruger, model P95, 9mm and ammunition;

- 12. One Taurus, model PT940, Cal .40 S&W and ammunition;**
- 13. One Thompson Center Arms, Contender and ammunition;**
- 14. One DPMS Panther Arms, model A-15 and ammunition;**
- 15. One Smith & Wesson, model M&P 15-22 and ammunition; and**
- 16. One Ruger, model 22 Charger, 22 LR Cal and ammunition all seized on or about September 27, 2020 from Defendant during the investigation; and**
- 17. Approximately \$40,579 in United States currency seized on or about September 27, 2020 from Defendant during the investigation.**

2. The United States Marshals Service, the investigative agency, and/or the agency contractor is authorized to take possession and maintain custody of the above specific asset(s).

3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

4. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.


5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

6. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property involved in or used in the offense(s) or that the aforementioned asset(s) constitute property derived from or property used in any manner to facilitate the commission of such offense(s) and are and are therefore subject to forfeiture pursuant to 18 U.S.C. § 924, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant. If the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so. As to any firearms listed above

and/or in the charging instrument, Defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion deem to legally sufficient, and waives any and all right to further notice of such process or such destruction.

WILLIAM T. STETZER
ACTING UNITED STATES ATTORNEY


CHRISTOPHER S. HESS
Assistant United States Attorney


ALLEN SHUNTE PLOWDEN
Defendant


W. KELLY JOHNSON, ESQ.
Attorney for Defendant

Signed this the 25th day of October, 2021.


UNITED STATES MAGISTRATE JUDGE